

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Darin M. Lynch,)	
)	
Certificate 215795)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 14, 2007. On December 12, 2006, the Office of Educator Certification sent Darin M. Lynch notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Lynch received the notice as evidenced by a postal receipt bearing his signature. Mr. Lynch did not request a hearing within the time specified in the notice letter. After considering the information presented by the Department, the State Board voted to suspend Mr. Lynch's certificate for one year.

FINDINGS OF FACT

Mr. Lynch holds a professional South Carolina educator certificate and has three years of teaching experience. On April 17, 2006, Mr. Lynch signed a contract with Laurens County School District 56 (District) for the 2006-07 school year. He was assigned to Clinton High School as a Mathematics teacher. On August 9, 2006, Mr. Lynch submitted a letter to the District resigning from his position, effective immediately. The District informed Mr. Lynch that he could not be released from his contract at that time and that his actions were considered to be a breach of his contract. On September 25, 2006, the District Board of Trustees voted to request the suspension of Mr. Lynch's certificate for breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient information supporting its conclusion that Mr. Lynch breached his contract with Laurens County School District 56, warranting the suspension of his certificate for a period of one year, through February 13, 2008. Should Mr. Lynch wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ John E. Tindal

John E. Tindal, Chair

Columbia, South Carolina

February 14, 2007